

## REMARKS

Applicants wish to thank Examiner Jackson for the courtesy of extending an Interview on June 23, 2005, to Applicants' representative James J. Bindseil. The Interview was helpful in understanding the Examiner's position and in identifying subject matter believed to define over the cited reference. Reconsideration of this application is respectfully requested in view of the Interview, the foregoing amendment and the following remarks.

By the foregoing amendment, claims 1, 3, 4, 7, 9, 11, 13, 15, 17, 19 and 20 have been amended, and new claims 21-24 have been added. The amendments to claims 1, 9, 13 and 17 revise the claims as discussed during the Examiner Interview, and are fully supported throughout the specification. The amendment to claims 3, 11, 15 and 19 further defines types of reference values.<sup>1</sup> The amendment to claim 4 recites that only a portion of the response needs to match the preselected integrity response, i.e. the response may include other integrity information.<sup>2</sup> The amendment to claim 7 further identifies criteria for selecting the integrity application.<sup>3</sup> Additionally, the amendment to claim 20 is merely to correct a typographical error in the preamble. No new matter has been added, and no new issues have been raised. Thus, claims 1-24 are currently pending in the application and are subject to examination.

### *Rejection of claims 1-20 under 35 USC 102(e)*

The Applicants respectfully traverse the rejection of claims 1-20 under 35 USC § 102(e) as being anticipated by US Publication No. 2004/0058651 to Ross et al. ("Ross"). Ross does not disclose the features recited by the claims.

---

<sup>1</sup> Specification at p. 9, paragraph 38.

<sup>2</sup> *Id.* at p. 6, paragraph 23, lines 6-7.

<sup>3</sup> *Id.* at p. 4, paragraph 18, lines 8-11 and p. 9, paragraph 36, last two lines.

As discussed in detail during the Examiner Interview of June 23, 2005, Ross does not disclose a method, computer-readable media or apparatus for dynamic integrity checking of a device as recited by independent claims 1, 9, 13 and 17. In particular, Ross does not disclose a selected integrity application comprising a known unique preselected integrity response, receiving a response based on an execution of the selected integrity application on the device, and determining whether or not the response comprises the preselected integrity response. As discussed throughout the specification, the preselected integrity response is known by, and unique to, the selected integrity application.<sup>4</sup> Further, the determination ascertains if the received response includes the preselected integrity response.<sup>5</sup> Thus, the selected integrity application has a known, unique response that is preselected, and after downloading the integrity application and preselected integrity response onto a device, the recited method, computer-readable media and apparatus check to see if a received response based on execution of the integrity application includes the known unique preselected integrity response. Ross does not disclose an integrity application having a known unique preselected integrity response. Alternatively or in combination, Ross does not disclose determining whether a received response based on an execution of an integrity application comprises a known unique preselected integrity response. Therefore, Ross does not disclose a method, computer-readable media or apparatus for dynamic integrity checking of a device as recited by independent claims 1, 9, 13 and 17.

Claims 2-8, 10-12, 14-16 and 18-20, respectively, depend from independent claims 1, 9, 13 and 17, and thus define over Ross for the same reasons as discussed above.

Further, each of these dependent claims recites additional features that provide a separate basis for defining each respective claim over the cited reference. For example, with regard to

---

<sup>4</sup> See e.g., Specification at p. 5, paragraph 21, last sentence.

<sup>5</sup> See e.g., Specification at pages 10-11, paragraph 46.

claims 2, 10, 14 and 18, Ross does not disclose a dynamic adjustment to a preselected integrity response, where the dynamic adjustment includes a reference value. Similarly, for example, with regard to claims 3, 11, 15 and 19, Ross does not disclose the dynamic adjustment, as discussed above, where the reference value comprise at least one of a time-based reference value, a date-based reference value, and a digital signature a time-based value. Further, for example, with regard to claim 6, Ross does not disclose randomly selecting the selected integrity application from the one or more integrity applications. Additionally, for example, with regard to claim 7, Ross does not disclose selecting the selected integrity application from the one or more integrity applications based on at least one of a device location, a type of hardware, a carrier identification, a behavior associated with the client device, a time, a random indicator, a periodic indicator.

Thus, based on the above amendments and remarks, the Applicants respectfully request that the Examiner withdraw the rejection of claims 1-20 under 35 USC § 102(e) as being anticipated by Ross.

### ***New Claims 21-24***

The Applicants have added new claims 21- 24 to further define subject matter to which the Applicants are entitled. These claims recite dynamically changing at least one of the selection of the selected integrity application and the preselected integrity response prior to downloading the selected integrity application for execution on the client device.<sup>6</sup> No new matter has been added, and no new issues have been raised, as these new claims are based on existing claims such as claim 2 and claim 6. New claims 21-24 respectively depend from independent claims 1, 9, 13 and 17, and thus define over Ross for the same reasons as discussed

---

<sup>6</sup> Specification, pages 6-7, paragraph 26.

above. Further, Ross does not disclose the subject matter recited by each of these claims. Thus, the Applicants respectfully submit that these claims are in condition for allowance.

### CONCLUSION

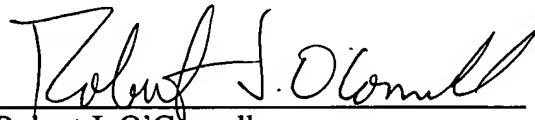
In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: June 27, 2005

By:



Robert J. O'Connell

Reg. No. 44,265

(858) 651-4361

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 658-5787  
Facsimile: (858) 658-2502